



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 20-069

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated November 2020.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. N 1.08 (5m) (c), consider revising the phrase “grant additional utilization of simulation” with the phrase “authorize the use of simulation under this paragraph”.

b. In s. N 2.35 (2), the agency inserts the phrase “emergency circumstances”, while several other provisions create or insert the more extensive phrase “public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances”. Does the agency intend for these phrases to have different meanings? If not, the agency should review the proposed rule for use of consistent phrases when consistent meanings are intended.

c. Generally, throughout the proposed rule, it appears ambiguous as to who determines when circumstances are sufficient to trigger the relief provided by the rule. Is it generally intended that such determination is to be made by the agency through the agency’s consideration of individual requests? If so, is the intent of s. N 8.10 (8) different, such that determination of sufficient circumstances for relief under that provision appears to be linked to federal or gubernatorial declaration? The agency could clarify its intent as to what circumstances qualify for the relief under the proposed rule, and whether those qualifications are the same for each provision treated by the rule.

d. Throughout the proposed rule, consider replacing the phrase “except as provided under ...” with the phrase “except as provided in ...”.